IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SIXTEENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

**THE HON'BLE MR JUSTICE K.C. BHANU**

**WRIT PETITION No. 5242 of 2005**

Between:

S. Rama Rao, No. 14411532K, S/o. S. Lakshmaiah,
Hindu, D/NO-5/221, ULLIPATTEDA, M.R. Palli Post,

Tirupathi, Chittoor District.

**..... PETITIONER**

AND

1 Unit 24, MED REGT, C/O. 56 APO, Hissar, Haryana,
2 Record Office, OIC Records (Artillery), Nasik Road Camp,
Maharastra.
3 Director General of Artillery, (Arty-7D), General Staff Branch,

Army Head Quarters, DHQ, PO, New Delhi.

**.....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ or order or a direction more particularly in the nature of Writ of Mandamus declaring the action of the respondents in not taking the petitioner back into services with all benefits as illegal, improper, unjust, against rules, violation of fundamental rights guaranteed under Constitution of India and consequently direct the respondents to regularize his leave period and to continue the petitioner in service and to pass such other order or orders as this Hon'ble High Court may deem fit and proper in the circumstances of the case.

**Counsel for the Petitioner: MR.V.NITESH**

**Counsel for the Respondent Nos.1 to 3: MR.A.RAJASHEKAR REDDY (ASSISTANT SG)**

**The Court at the admission stage made the following:**

**ORDER:**

Declaring the action of the respondents in not taking the petitioner back into services with all benefits, as illegal and arbitrary, the present writ petition is filed.

Heard the learned Counsel for the petitioner and the learned standing Counsel for the respondents.

Admittedly, the petitioner made a representation to the respondents on 16.11.2004. The respondents have to take appropriate decision thereon.

Therefore, without entering into the merits of the case, I deem it appropriate to dispose of the writ petition, with a direction to the respondents, to consider the representation of the petitioner dated 16.11.2004, and pass appropriate orders thereon, in accordance with law, rules and regulations, within a period of 2 (two) months from the date of receipt of a copy of this order.

The Writ Petition is, accordingly, disposed of. No order as to costs.

Dated: 16.03.2005

Dsr

ASSISTANT REGISTRAR

To:

1. The Unit 24 MED REGT, C/o.56 APO,

Hissar, Haryana,

2. Record Office, OIC, Records (Artillery)

Nasik Road Camp, Maharastra

3. The Director General of Aftillery, (Arty-7D),

General Staff Branch, Army Head Quarters,

DHQ PO, New Delhi

4. Two CD copies

*Form-NIC-OGS/WP{**SPJS**}*